

1 RENE L. VALLADARES  
Federal Public Defender  
2 Nevada State Bar No. 11479  
NISHA BROOKS-WHITTINGTON  
3 Assistant Federal Public Defender  
411 E. Bonneville, Ste. 250  
4 Las Vegas, Nevada 89101  
(702) 388-6577/Phone  
5 (702) 388-6261/Fax  
Nisha\_Brooks-Whittington@fd.org  
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7 Attorney for Voncel Tate

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 VONCEL TATE,

14 Defendant.  
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Case No. 2:19-cr-00111-APG-NJK

**STIPULATION TO CONTINUE  
SENTENCING HEARING**  
(Second Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between  
17 Nicholas A. Trutanich, United States Attorney, and Brian Y. Whang, Assistant United  
18 States Attorney, counsel for the United States of America, and Rene L. Valladares,  
19 Federal Public Defender, and Nisha Brooks-Whittington, Assistant Federal Public  
20 Defender, counsel for Voncel Tate, that the Sentencing Hearing currently scheduled on  
21 July 8, 2020 at 10:30 a.m., be vacated and continued to a date and time convenient to the Court,  
22 but no earlier than ninety (90) days.

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1 The Stipulation is entered into for the following reasons:

2 1. On March 11, 2020, the World Health Organization officially classified  
3 COVID-19 a pandemic.<sup>1</sup> Governor Steve Sisolak declared a State of Emergency in Nevada on  
4 March 12, 2020. On March 16, 2020, the CDC recommended that all in-person events  
5 consisting of 10 or more people be postponed or cancelled throughout the United States.<sup>2</sup>  
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7 2. As of June 9, 2020, Nevada has 10,030 confirmed COVID-19 cases and 444  
8 deaths.<sup>3</sup> Also, as of June 9, 2020, the new strain of coronavirus which causes COVID-19, has  
9 infected over 7 million people, leading to at least 408,954 deaths worldwide.<sup>4</sup>

10 3. In light of this pandemic, the growing number of infected individuals in the State  
11 of Nevada and worldwide, and the CDC's recommendations, counsel request a continuance of  
12 the sentencing hearing.

13 4. Additionally, the defense requests additional time to prepare for sentencing and  
14 to gather mitigation information which is relevant to the sentencing disposition of this case.

15 5. The defendant is incarcerated and does not object to the continuance.

16 6. The parties agree to the continuance.  
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21 <sup>1</sup> *WHO Characterizes COVID-19 as a Pandemic*, World Health Organization (Mar.  
22 11, 2020) at <https://www.who.int/dg/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020>.

23 <sup>2</sup> Center for Disease Control: COVID-19 <https://www.cdc.gov/coronavirus/2019-ncov/community/large-events/> (last visited Mar. 24, 2020).  
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25 <sup>3</sup> <https://nvhealthresponse.nv.gov/> (last visited June 9, 2020).

26 <sup>4</sup> *Coronavirus Resource Center*, John Hopkins University (last visited June 9, 2020),  
<https://coronavirus.jhu.edu/map.html>.

1 This is the second stipulation to continue filed herein.

2 DATED this 10th day of June 2020.

3 RENE L. VALLADARES  
4 Federal Public Defender

NICHOLAS A. TRUTANICH  
United States Attorney

5 */s/ Nisha Brooks-Whittington*  
6 By \_\_\_\_\_

7 NISHA BROOKS-WHITTINGTON  
Assistant Federal Public Defender

*/s/ Brian Y. Whang*  
By \_\_\_\_\_

BRIAN Y. WHANG  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3  
4 UNITED STATES OF AMERICA,

5 Plaintiff,

6 v.

7 VONCEL TATE,


8 Defendant.

Case No. 2:19-cr-00111-APG-NJK

**ORDER**

9  
10 IT IS ORDERED that the sentencing hearing currently scheduled for Wednesday,  
11 July 8, 2020 at 10:30 a.m., be vacated and continued to October 7, 2020 at the hour of 9:30  
12 a.m. in Courtroom 6C.

13 DATED this 11th day of June 2020.

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16 UNITED STATES DISTRICT JUDGE  
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